

Re. : Amendment and Response to Final Office Action Mailed May 12, 2006
Appl. No. : 10/668,746
Filed : September 23, 2003

II. REMARKS

Claims 1-3, 6-12 and 22-39 are currently pending and the Office Action rejected Claims 1-3, 6-12 and 22-39. By the foregoing amendments, Applicants amended Claims 1, 3, 6, 7, 9 and 10-12; cancelled Claims 2, 8 and 22-39 without prejudice; and added new Claims 40-48 to further clarify, more clearly define and/or broaden the claimed invention, and expedite receiving a notice of allowance or, in the alternative, to place the rejected claims in better form for consideration on appeal. Pursuant to 37 C.F.R. § 1.121(f), no new matter is introduced by these amendments. Applicants believe that Claims 1, 3, 6, 7, 9, 10-12 and 40-48 are now in condition for allowance.

Please note that Applicants' remarks are presented in the order in which the issues were raised in the Office Action for the convenience and reference of the Examiner. In addition, Applicants request that the Examiner carefully review any references discussed below to ensure that Applicants' discussion and understanding of the references, if any, is consistent with the Examiner's. Further, the following remarks are not intended to be an exhaustive enumeration of the distinctions between any particular reference and the claimed invention. Rather, the distinctions identified and discussed below are presented solely by way of example to illustrate some of the differences between the claimed invention and that reference.

A. Information Disclosure Statement

The Office Action stated that the information disclosure statement filed February 16, 2006 fails to comply with the provisions of 37 CFR 1.98(a)(3) because it does not include a concise explanation of the relevance, as it is presently understood by the individual designated in

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37 CFR § 1.56(c) most knowledgeable about the content of the information, of each patent listed that is not in the English language. References 650,758 and 341,007 (which do not include English abstracts/translations) have been placed in the application file, but the information referred to therein has not been considered.

Applicants submit these references because, *inter alia*, the structure shown in their drawings may be pertinent. Applicants, however, do not have an English translation of these references and do not believe a translation is necessary because Applicants submitted these references out of an abundance of caution to disclose the structure shown in the drawings. If the Examiner believes an English abstract of either of these references would be helpful, then applicants will obtain and submit a translation of either or both of the abstracts as requested.

B. Response to the Objection to the Drawings

The Office Action objected to the drawings under 37 C.F.R. § 1.83(a) because the drawings must show every feature of the invention specified in the claims. The Office Action stated that the grooves/recesses/inwardly extending portions/outer apertures and interlocking first and second sleeves in/on the inner lips must be shown or the feature(s) cancelled from the claim(s). The Office Action stated that corrected drawing sheets in compliance with 37 C.F.R. § 1.121(d) is required in the reply to the Office Action to avoid abandonment of the application.

Applicants respectfully traverse this rejection because Applicants believe that the drawings show every feature of the invention specified in the claims. However, in view of the amendments to the claims, as discussed in greater detail below, Applicants request that this objection to the drawings be withdrawn.

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C. Response to the Section 112 Rejection

The Office Action rejected Claims 2, 3, 7-12 and 22-39 under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. The Office Action states the claims contain subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventors, at the time the application was filed, had possession of the claimed invention. The Office Action states namely, although the specification states that the interior surface apertures of the inner lips can include sleeves like those found in the outer lip's interior surface apertures, nowhere is it stated or shown that the inner lips include grooves/recesses/inwardly extending portions, outer apertures or interlocking first and second sleeves.

Applicants respectfully traverse this rejection because, *inter alia*, the specification describes that the interior surface apertures of the inner lips can include sleeves like those found in the outer lip's interior surface apertures. Additionally, Applicants believe that the application makes clear, either expressly or inherently, that the inner lips can include grooves/recesses/inwardly extending portions, outer apertures or interlocking first and second sleeves. For example, the specification states the following:

[052] As shown in Figure 2, table top 1 also has two U-shaped inner lips which face each other. The interior surface of the inner lips has connecting apertures similar to those described above. In addition, bushings or sleeves similar to those described above may be used to align an end of a center bar 2' therein. The center bar 2' is shown connected to an end of support bar 5. The other end of support

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bar 5 is connected to a V-shaped strut 4. The other end of V-shaped strut is connected to a table leg 3.

See paragraph 52, pages 11-12. For this and other reasons, Applicants believe that Claims 2, 3, 7-12 and 22-39 fully comply with the written description requirement under 35 U.S.C. § 112, first paragraph.

In order to expedite receiving a Notice of Allowance, however, Applicants cancelled Claims 2, 8 and 22-39, and amended Claims 1, 3, 6, 7, 9 and 10-12 to overcome this Section 112, first paragraph, rejection as discussed in more detail below.

D. Rejection under 35 U.S.C. § 102(b)

The Office Action rejected Claims 1, 6-8, 22-24, 26, 27 and 29-32 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,921,623 issued to Nye, et al., in view of U.S. Patent No. 4,064,815 issued to Baum. The Office Action states the Nye patent teaches a blow-molded table (12) having a lip with interior apertures (see Fig. 2). The Office Action states the leg assemblies (14, 16) are attached to the table via bars (80, 102) and the interior bars (102) are attached to legs of the assemblies via braces with v-struts (98) and support members (100). Also, the Office Action states the lips include a lower portion recess (44) which abuts an end portion of the bars. The Office Action, however, acknowledges that the Nye patent fails to teach sleeves between the bars and lip. The Office Action contends the Baum patent teaches sleeves (23) with flanges (27) attached at the ends of rotating bars. The Office Action asserts that it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the table of Nye by adding sleeves at the ends of the bars, such as it is taught by the Baum patent, to help

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reduce friction between the rotating bars and the lip openings. The Office Action asserts furthermore the sleeves could be constructed so that they extend to the end of the bars of the Nye patent and therefore provide the members abutting the lip recess.

Applicants respectfully traverse this rejection because neither the Nye nor the Baum patents, either alone or in combination, teaches, suggests or discloses each and every element of the claimed invention. However, in order to expedite receiving a Notice of Allowance, Applicants note that dependent Claims 2 and 9 were not rejected in view of the cited references. Accordingly, Applicants canceled Claim 2 and included the limitations of Claim 2 into original Claim 1 and amended Claim 1 to overcome the Section 112 rejection. Accordingly, Claim 1 should now be allowable. In addition, Applicants rewrote Claim 9 into independent form including the limitations of original Claim 1 and amended Claim 9 to overcome the Section 112 rejection. Thus, independent Claims 1 and 9 should now be allowable.

Dependent Claims 3, 6, 7 and 10-12 should now also be allowable at least because these claims are dependent upon amended Claims 1 and 9, respectively. Therefore, Claims 1, 3, 6, 7 and 9-12 should be ready for immediate allowance.

E. New Claims

New Claims 40-48 have been added to more fully define the Applicants' invention and are believed to be fully distinguished over the cited references. Applicants believe that new Claims 40-48 should also be allowable for the same reasons as discussed above.

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CONCLUSION


In view of the foregoing, Applicants submit that Claims 1, 3, 6, 7, 9-12 and 40-48 are allowable over the cited references and are in condition for allowance. Accordingly, Applicants request that a Notice of Allowance be promptly issued.

The undersigned has made a good faith effort to respond to all of the rejections in the case and to place the claims in condition for immediate allowance. Nevertheless, if any unresolved issues remain, the Examiner is invited to contact the undersigned by telephone to discuss those issues so that a Notice of Allowance can be mailed at the earliest possible date.

The Commissioner is authorized to charge payment of any additional fees associated with this communication, which have not otherwise been paid, to Deposit Account No. 23-3178. If any additional extension of time is required, which have not otherwise been requested, please consider this a petition therefore and charge any additional fees that may be required to Deposit Account No. 23-3178.

Respectfully submitted,

Dated: June 22, 2006

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